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## Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, who alone spreads out the heavens and rules the raging of the sea, as we approach the end of the 109th Congress, our hearts sing in gratitude for Your providential care. While facing mountains and valleys, victories

and defeats, we have been sustained by Your power and love. Through experiences of profit and loss, of success and failure, of health and sickness, of triumph and tragedy, You have worked for our good. Because of Your mercies,

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By order of the Joint Committee on Printing.

TRENT LOTT, *Chairman*.

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TRENT LOTT, *Chairman*.

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the weapons formed against us have not prospered.

Thank You for Your favor that rests upon our land, for freedoms that cause our hearts to soar. Thank You for guiding our Senators in their efforts to do Your will. In the days to come, we commit ourselves anew to seek Your guidance and follow Your plan.

We pray in Your all-powerful Name. Amen.

#### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 10:30 a.m., with the time equally divided between the two leaders or their designees.

#### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

#### SCHEDULE

Mr. BUNNING. Mr. President, this morning the Senate will debate the motion to invoke cloture on the nomination of Kent Jordan to be a U.S. circuit judge. Under the regular order, that cloture vote will occur at 10:30 a.m. this morning. Once cloture has been invoked, we would hope to have a vote on confirmation shortly.

There are many critical legislative and executive items that must be completed before the Senate adjourns sine die, including a continuing resolution, the tax extender package, the U.S.-Indian nuclear agreement, and a number of other items that both sides are attempting to clear for action.

The Senate will remain in session into the weekend, if necessary, in order to finish our work.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. ISAKSON). Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CLERK

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent

that if cloture is invoked this morning on the Jordan nomination, there be 2 hours of debate equally divided between the chairman and ranking member and that following that time, the Senate proceed immediately to vote on the confirmation of the nomination with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEASURE PLACED ON THE CALENDAR—S. 4110

Mr. FRIST. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill for a second time by title.

The legislative clerk read as follows:

A bill (S. 4110) to enhance Federal Trade Commission enforcement against illegal spam, spyware and cross-border fraud and deception, and for other purposes.

Mr. FRIST. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

#### PERMITTING EXPENDITURES FROM THE LEAKING UNDERGROUND STORAGE TANK TRUST FUND

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Finance be discharged from further consideration of H.R. 6131 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6131) to permit certain expenditures from the Leaking Underground Storage Tank Trust Fund.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 6131) was ordered to a third reading, was read the third time, and passed.

#### UNITED STATES TSUNAMI WARNING AND PROTECTION ACT

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 1674 received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1674) to strengthen and authorize the Tsunami Protection, Warning and Mitigation Program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1674) was ordered to a third reading, was read the third time, and passed.

Mr. FRIST. Mr. President, that completes one round of business we will be doing over the course of the day. We will be coming to the floor to take care of business as it is completed. There is a lot of activity between the House and the Senate, and as we continue to move on these unanimous consent requests we will bring them to the floor over the course of the day.

#### HEALTH CARE POLICY

Mr. FRIST. Mr. President, I wish to briefly comment on health care policy which we have been able to accomplish over the last several years.

As most people know, for 20 years before I entered politics, I devoted my life to healing and to helping people one-on-one through medicine, and now for 12 years in the Senate I have tried to focus on healing and helping people using public policy.

From the outset, I have worked hard to place medicine and health care at the center of our national agenda.

I had a meeting at the White House earlier this morning. I restated how important it is that we address what is a coming tsunami as our aging population incessantly is coming toward us similar to a big tidal wave. It will be here in a few years.

Health care affects our global competitiveness. It affects our \$8.5 trillion debt, our deficit, and our State budgets. It is intensely personal. It affects all of us in a very direct way because we are all sick at one time or another.

I am very proud of the work we have been able to accomplish on the floor in this body on health care policy. Thanks to a new Medicare Part D drug benefit, millions of seniors today are receiving access to drugs they didn't have before—drugs that can prevent heart attack or can prevent a stroke or can prevent various kinds of maladies from which people suffer. People today who have this affordable access to drugs no longer have to worry about having an illness or serious illness hit them and being able to buy those drugs which they need to treat that illness.

In that prescription drug coverage legislation which we passed, all Americans gained better access to health care through what we put in as Health Savings Accounts, accounts that you own, that you can control, that you can take with you.

Over a 5-year period in this body, we had an initiative which was completed to double the NIH budget. That leads